

4-30-04

B 2828
1000 EAGLE GATE TOWER

60 EAST SOUTH TEMPLE

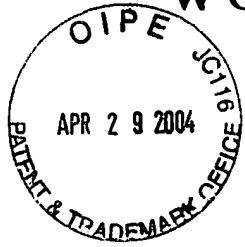
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INTELLECTUAL PROPERTY ATTORNEYS

EXPRESS MAIL LABEL NO. EV 442 311 733 US

PATENT APPLICATION
 Docket No: 15436.437.6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

James Allen Cox

Serial No.: 10/037,010) Art Unit
) 2828

Confirmation No.: 5683)

Filed: December 31, 2001)

For: TUNABLE LASER USING A
 GUIDED-MODE RESONANT
 GRATING FILTER)

Examiner: Hung T. Vy)

Customer No.: 022913)

TRANSMITTAL FOR SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

05/03/2004 CCHAU1 00000077 10037010

01 FC:1006
 02 FC:1460

100.00 DA
 130.00 DA

Statement of relevance of selected cited references not in the English language which are not translated.

Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.

- Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.
- A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

- X Form PTO-1449 listing seven (7) references submitted for consideration.
- X Copies of seven (7) of the references listed on the Form PTO-1449.
- English translations of _____ (_____) of the references listed on the Form PTO-1449 which are not in the English language.
- Copies of the following documents from the prosecution of a previous, related application:
 - Form PTO-1449 AND INFORMATION DISCLOSURE STATEMENT; and
 - Form PTO-892
- B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

- I. — Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.
- II. X Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of

Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:

- Promptness Certification; or
 - Check No. _____ in the amount of \$180.00 constituting the submission fee set forth in 37 C.F.R. § 1.17(p).
 - Authorization to charge deposit account no. 23-3178 for payment of any fee required in relation to filing of this letter or any documents transmitted therewith.
- III. After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
- Promptness Certificate;
 - Petition for Consideration; and
 - Check No. in the amount of \$_____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).
- IV. After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
- Petition to Withdraw from Issue; and
 - Check No. _____ in the amount of \$_____ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178. A duplicate copy of this letter is enclosed.

- Any fee required in relation to filing of this letter or any documents transmitted therewith.
- The submission fee set forth in 37 C.F.R. § 1.17(p) in the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. § 1.97(e).
- The submission fee set forth in 37 C.F.R. § 1.17(p).
- The petition fee set forth in 37 C.F.R. § 1.17(i)(1).

Dated this 28 day of April, 2004.

Respectfully submitted,



R. BURNS ISRAELSEN
Attorney for Applicant
Registration No. 42,685
Customer No. 022913



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 RESONANT GRATING FILTER)
)
Examiner: Hung T. Vy)
)
Customer No.: 022913)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

05/03/2004 CCHAU1 00000077 233178 10037010

01 FC:1806 180.00 DA
02 FE:1480 130.00 DA

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

DATED this 28 day of April, 2004.

Respectfully submitted,



R. BURNS ISRAELSEN
Attorney for Applicant
Registration No. 42,685
Customer No. 022913

RBI: dmh
DMS0000006217V001



APR 29 2004

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 GRATING FILTER)
)
Examiner: Hung T. Vy)
)
Customer No.: 022913)

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.10

I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 29 day of APRIL, 2004:

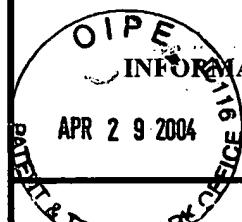
- Transmittal for Supplemental Information Disclosure Statement (4 pgs., in duplicate)
 - Supplemental Information Disclosure Statement (2 pgs.)
 - Form PTO-1449 (2 pgs.)
 - Copies of seven (7) references
 - Postcard

Respectfully submitted,

Dacia M. Holt

Dacia M. Holt
Paralegal

WORKMAN NYDEGGER
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Salt Lake City, Utah 84111
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INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

APR 29 2004

Docket Number (Optional)

15436.437.6

Application Number

10/037,010

Applicant(s)

James Allen Cox

Filing Date

December 31, 2001

Group Art Unit

2828

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
3	EP 1139523 A2	10/4/01	EPO	H01S	5/14	✓	
4	56126994 - ABSTRACT	10/5/81	JP	H01S	3/10	✓	

OTHER DOCUMENTS (*Including Author, Title, Date, Pertinent Pages, Etc.*)

5	Heim, P.J.S. et al., "Single-angled-facet laser diode for widely tunable external cavity semiconductor lasers with high spectral purity," <i>Electronics Letters</i> , IEE Stevenage, GB, vol. 33, no. 16, July 31, 1997, pages 1387-1389.
6	Magnusson, R., et al., "New principle for optical filters," <i>Applied Physics Letters</i> , American Institute of Physics, New York, U.S., vol. 61, no. 9, August 31, 1992, pages 1022-1024.

EXAMINER _____ **DATE CONSIDERED** _____

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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